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USSN: 10/010,078

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This listing of claims will replace all prior versions, and listings of claims in the application:

LISTING OF CLAIMS:

Claim 1 (currently amended): A method for providing a content tracking system comprising:

~~generating a tracking identifier;~~

~~incorporating the tracking identifier with content stored in a storage medium;~~

~~storing the tracking identifier in a database;~~

~~providing the storage medium to a primary distributor;~~

receiving information from the a primary distributor, the information being tracked using a tracking identifier on a storage medium, the tracking identifier being stored in a database;


associating within the database, in response to the receiving information from the primary distributor, the tracking identifier with the information from the primary distributor;

receiving information from a second level distributor, the second level distributor being successively enlisted from the primary distributor;

associating within the database, in response to the receiving information from the second level distributor, the tracking identifier with the second level distributor; and


providing credit to the primary distributor ~~and the second level distributor~~ in response to a transaction derived from ~~the content on the storage medium~~ the second distributor.

Claim 2 (currently amended): The method of claim 1 wherein the transaction derived from ~~the content~~ the second distributor is selected from the group consisting of a sale, a lease, and a license.



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Claim 3 (currently amended): The method of claim 1 wherein the ~~incorporating step comprises incorporating~~ the tracking identifier is incorporated into a burst cut area of the storage medium.

Claim 4 (currently amended): The method of claim 1 further comprising:
receiving information from a third level distributor;
associating within the database, in response to the receiving information from the third level distributor, the tracking identifier with the third level distributor, the second level distributor and the primary distributor; and
providing credit to the primary distributor~~[[,]]~~ and the second level distributor ~~and the third level distributor~~ in response to the transaction derived from the ~~content on the storage medium~~ the third level distributor.

Claim 5 (currently amended): A method of tracking content comprising:
receiving a tracking identifier that identifies a particular copy of content on a storage medium;
placing the tracking identifier in a database;
receiving information from a primary distributor;
associating within the database, in response to the receiving information from the primary distributor, the tracking identifier with the information from the primary distributor;
receiving information from a second level distributor, the second level distributor being successively enlisted from the primary distributor; and
associating within the database, in response to the receiving information from the second level distributor, the tracking identifier with the second level distributor.

Claim 6 (currently amended): The method of claim 5 further comprising:
crediting the primary distributor ~~and the second level distributor~~ in response



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to a transaction derived from the particular ~~copy of content on the storage medium~~
second level distributor.


Claim 7 (currently amended): The method of claim 6 wherein the transaction derived from the particular ~~copy of content~~ second level distributor is selected from the group consisting of a sale, a lease, and a license.

Claim 8 (original): The method of claim 5 further comprising:
receiving information from a third level distributor; and
associating within the database, in response to the receiving information from the third level distributor, the tracking Identifier with the primary distributor, the second level distributor and the third level distributor.

Claim 9 (currently amended): The method of claim 8 further comprising:
crediting the primary distributor~~[[.]]~~ and the second level distributor, ~~and the third level distributor~~, in response to a transaction selected from the group consisting of a sale, a lease, and a license wherein the transaction is derived from the particular ~~content on the storage medium~~ third level distributor.

Claim 10 (currently amended): A content tracking system comprising:
~~a distributor network including a primary level distributor and a second level distributor for distributing content embodied in a storage medium;~~
a server for receiving a tracking identifier that is incorporated with the content embodied in the a storage medium and for receiving registration information from the primary level distributor and the second level distributor of a distributor network; and


a database for associating the content with the primary level distributor and the second level distributor and for associating transactions derived from the ~~content on the storage medium with~~ the primary level distributor and the second



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level distributor, the second level distributor being successively enlisted from the primary distributor.



Claim 11 (currently amended): The system of claim 10 wherein credit is provided to the primary level distributor and in response to the transaction derived from the second level distributor ~~are distributors within a multi-level distributor network.~~

Claim 12 (original): The system of claim 10 further comprising:
a storage medium and tracking identifier integrator for incorporating the tracking identifier with the content embodied in the storage medium.

Claim 13 (original): The system of claim 12 further comprising:
a tracking identifier generator for generating the tracking identifier.

Claim 14 (currently amended): The system of claim ~~[[10]]~~ 11 wherein ~~transactions~~ the transaction derived from the ~~content on the storage medium~~ second level distributor is selected from the group consisting of a sale, a lease, and a license.

Claim 15 (currently amended): A system for tracking content comprising:
means for receiving a tracking identifier that identifies a particular copy of media content;
means for placing the tracking identifier in a database;
means for receiving information from a primary distributor;
means for associating within the database, in response to the receiving information from the primary distributor, the tracking identifier with the information from the primary distributor;
means for receiving information from a second level distributor, the second



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level distributor being successively enlisted from the primary distributor; and

means for associating within the tracking identifier database, in response to the receiving information from the second level distributor, the tracking identifier with the second level distributor.

Claim 16 (currently amended): The system of claim [[16]] 15 further comprising means for providing credit to the primary distributor ~~and the second level distributor~~ for transactions a transaction derived from ~~the content after being distributed~~ by the second level distributor.

Claim 17 (currently amended): The system of claim 16 wherein the ~~transactions~~ transaction derived from the content ~~are~~ is selected from the group consisting of a sale, a lease, and a license.

Claim 18 (original): The system of claim 15 comprising:
means for receiving information from a third level distributor; and
means for associating within the tracking identifier database, in response to the receiving information from the third level distributor, the tracking identifier with the third level distributor, the second level distributor and the primary distributor.

Claim 19 (currently amended): The system of claim 18 further comprising means for providing credit to the primary distributor[[.]] and the second level distributor, ~~and the third level distributor~~ for transactions derived from ~~the content after being distributed by the third level distributor.~~

Claim 20 (currently amended): The system of claim 19 wherein the ~~transactions~~ transaction derived from the content ~~third level distributor~~ are is selected from the group consisting of a sale, a lease, and a license.



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REMARKS

Claims 1 - 20 are pending in the present application.

This Amendment is in response to the Office Action mailed March 11, 2004. In the Office Action, the Examiner objected to the drawings, and rejected claims 1-20 under 35 U.S.C. § 103. Applicant has amended claims 1-7, 9-11, 14-17, and 19-20.

Reconsideration in light of the amendments and remarks made herein is respectfully requested.

I. TITLE

Applicant has amended the Title to reflect the description of the invention. Applicant submits that no new matter is added. Therefore, Applicant respectfully requests that the new title be accepted.


II. SPECIFICATION

The Examiner objected to the Specification due to minor informalities. In response, Applicant has amended the Specification accordingly. Therefore, Applicant respectfully requests the objection be withdrawn.

III. DRAWINGS


In the Office Action, the drawings were objected to in light of cited informalities. In response, Applicant has amended Figures 1 and 2 in which the proposed changes are made. In amended Figure 1, the previously omitted description of 106 "STORAGE MEDIUM" and 120 "COMMUNICATION LINK" has been added. In amended Figure 2, the previously omitted description of 106





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"STORAGE MEDIUM" and 122 "COMMUNICATION LINK" has been added. Applicant respectfully requests acceptance of these amended Figures because no substantive new matter has been added.

IV. REJECTIONS UNDER 35 U.S.C. § 103

The Examiner rejected claims 1, 2, and 4-20 under U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,609,101 B1 issued to Landvater ("Landvater") in view of U.S. Patent No. 5,899,980 issued to Wilf ("Wilf"). The Examiner also rejected claim 3 under U.S.C. § 103(a) as being unpatentable over Landvater in view of Wilf and further in view of U.S. Patent No. 6,633,853 B2 issued to Oshima ("Oshima"). Applicant respectfully traverses the rejections for the following reasons.


Landvater discloses a time-phased forecasting and replenishment system for retail organizations which can be used for inventory management and financial management (Abstract). A conventional point of sale (POS) system that provides sales information in form of product, quantities, and date sold ... This POS information is used to provide a sales history and to update the perpetual inventory system... Product information includes product descriptions ... (Col. 8, lines 6-26). Landvater, however, does not disclose a second level distributor being successively enlisted from the primary distributor.

Wilf discloses a retail method that a customer does not need to transmit sensitive information such as a credit card number over the Internet for purchasing goods or services, nor does the user need to install additional software on his computer for using the billing method (Col. 1, lines 54-60). Wilf also discloses that the financial service provider is selected from the group consisting of a bank and a



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credit card company (Col. 4, lines 64-67). Unlike the present invention, Wilf does not disclose a second level distributor being successively enlisted from the primary distributor.

Oshima discloses that the pit portions of optical disks are provided with an additional recording area or Burst Cutting Area (BCA) overwritten with a bar code and when the disks are manufactured, IDs differing for each disk and, according to the need, cipher keys for communication and decoding keys for decoding key cipher texts for communication, are recorded individually in the BCA area (Col. 1, lines 36-44). Nowhere does Oshima disclose a second level distributor being successively enlisted from the primary distributor.

Landvater, Wilf, and Oshima, taken alone or in any combination, do not disclose, suggest, or render obvious a second level distributor being successively enlisted from the primary distributor.

Therefore, Applicant believes that independent claims 1, 5, 10, 15 and their respective dependent claims are distinguishable over the cited prior art references. Accordingly, Applicant respectfully requests the rejections under 35 U.S.C. § 103(a) be withdrawn.